

Wesley D. Hutchins, #6576
THE HUTCHINS LAW FIRM, P.C.

6751 South Adventure Way

West Jordan, Utah 84081

Telephone: (801) 969-0104

Fax: (801) 618-4251

E-Mail: wes@thehutchinslawfirm.com

*Attorney for Plaintiffs Jake M. Strickland
and his Minor Child J.D.S. "Baby Jack"*

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

CENTRAL DIVISION

JAKE M. STRICKLAND, personally and individually; and JAKE M. STRICKLAND for and on behalf of J.D.S, his biological Minor Child (dob 12/29/2010);

Plaintiffs,

vs.

WHITNEY VIVIAN DEMKE, f/k/a WHITNEY VIVIAN PETTERSSON; LDS FAMILY SERVICES; PAMELA TAYLOR; J.K.Y., current adoptive father; J.T.Y., current adoptive mother; WOOD CRAPO LLC; WOOD JENKINS LLC; KIRTON & MCCONKIE LLC; LARRY S. JENKINS; DAVID J. HARDY; and JOHN DOES I TO XX;

Defendants.

**PLAINTIFFS' MEMORANDUM
REGARDING STATUS OF CASE AND
INTENTION TO MOVE FORWARD**

Civil No.: 2:13-CV-01130

Judge: Honorable Dee Benson

Plaintiffs Jake M. Strickland and J.D.S. his biological Minor Child ("Baby Jack") (hereinafter collectively "Plaintiffs" or "Strickland"), by and through their retained counsel of record hereby file the following Memorandum Regarding Status of Case and Intention to Move Forward. Plaintiffs request they be given seven (7) days to submit a proposed attorney

planning meeting report and case management order so that this matter may move forward without any further undue delay.

Through late March and early April, 2016, undersigned counsel has been busy with the death of his mother-in-law, and related family matters subsequent thereto, as well as the death of a neighbor and close friend who was on hospice and recently died as well – the funeral for whom undersigned counsel conducted earlier this month. In a “perfect storm” scenario, undersigned counsel was also challenged with the attempted suicide of an adult family member, and securing insurance for in-patient rehabilitation for that family member.

As a solo practitioner, it has been very difficult for undersigned counsel to more timely respond in this case. Accordingly, counsel respectfully requests that he be given seven (7) days from the date of the Court’s consideration of this matter, to file a proposed attorney planning meeting report and case management order.

This result is fair and equitable in light of all the facts and circumstances in this case; consistent with judicial economy; and consistent with the longstanding principle that cases should be decided on their merits as opposed to default and/or technical operation of the rules of court administration. Finally, arriving at the merits of this case is particularly heightened given the nature of the dispute, including the defendant biological mother’s fraudulent conduct that resulted in Plaintiff biological father Jake Strickland losing his constitutionally-guaranteed liberty interests in raising his son. *See Troxel v. Granville*, 530 P.2d 57, 68 (2000).

DATED this 28th day of April, 2016.

THE HUTCHINS LAW FIRM, P.C.

/S/ Wesley D. Hutchins

Wesley D. Hutchins
*Attorney for Plaintiffs Jake Strickland
and Baby Jack*

CERTIFICATE OF DELIVERY

I hereby certify that on the 28th day of April, 2016, I caused to be served on the following a true and correct copy of the foregoing **PLAINTIFFS' MEMORANDUM REGARDING STATUS OF CASE AND INTENTION TO MOVE FORWARD** via the court's electronic filing system (and via email as noted) to the following:

Rick Rose
Ray Quinney & Nebeker
Attorneys for Whitney Vivian Demke
36 S. State Street, Suite 1400
P.O. Box 45385
Salt Lake City, UT 84145-0385
email: rrose@rqn.com

THE HUTCHINS LAW FIRM, P.C.

/S/ Wesley D. Hutchins
Wesley D. Hutchins
Attorney for Jake M. Strickland and
“Baby Jack”